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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 James Arnett,) No. CV-12-0311-TUC-DCB-DTF
10 Plaintiff,) **ORDER**
11 vs.)
12 Benjamin Snow Howard, et al.,)
13 Defendants.)
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15 Defendants have filed a second Motion to Dismiss (Doc. 37) pursuant to Rule 12 of the
16 Federal Rules of Civil Procedure.

17 **NOTICE--WARNING TO PLAINTIFF**

18 Defendants' Motion to Dismiss seeks to have your case dismissed on the basis of lack of
19 personal jurisdiction, improper venue and failure to state claim against any defendant.
20 Specifically, they argue that the Court does not have personal jurisdiction over the
21 defendants, venue is not proper in Arizona, Plaintiff has not alleged any specific facts
22 regarding Lifeline Media LLC, Nationwide Affordable Housing and the Ben Howard Trust,
23 and Plaintiff fails to assert all the facts or elements necessary for each cause. You should
24 address these arguments in your response to the motion. A motion to dismiss will, if granted,
25 end your case.

26 The Court may, in its discretion, treat a failure to respond to Defendants' Motion to
27 Dismiss as a consent to the granting of that motion without further notice, and judgment may
28 be entered dismissing this action pursuant to Rule 7.2(i) of the Local Rules of Civil

1 Procedure. *See Brydges v. Lewis*, 18 F.3d 651 (9th Cir.1994) (*per curiam*). Further, you are
2 obligated to comply with all rules of procedure and Court orders, regardless of your pro se
3 status. *See King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987). Failure to do so may result in
4 dismissal of the action. Fed. R. Civ. P. 41(b); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th
5 Cir. 1992). If Plaintiff does not file a response to the pending motion to dismiss in the time
6 set forth below, the Court will dismiss the case.

7 Accordingly,

8 **IT IS ORDERED** that Plaintiff must file a response to Defendants' Motion to Dismiss,
9 no later than **February 14, 2013**.

10 DATED this 18th day of January, 2013.

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A handwritten signature in black ink, appearing to read 'D. Thomas Ferraro', is written over a horizontal line.

D. Thomas Ferraro
United States Magistrate Judge